HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Appeal No.1805 of 2005

Between:

Smt. M. Vanaja … Appellant

And

B. Balaseshsnna and others … Respondents

:: J U D G M E N T ::

Counsel for the appellant : Smt. P. Rajeswari
for Sri E. Ayyapu Reddy

Counsel for respondent No.1 : None

Counsel for respondent Nos.2 to 5 : Government Pleader
for Civil Supplies

10th July, 2007

Per G.S. Singhvi, C.J.

This appeal is directed against order dated 22-8-2005 passed by the learned Single Judge in Writ Petition No.1463 of 2005, whereby he declared that non-petitioner No.4 (the appellant herein) does not have locus to file revision under Clause 21 of the Andhra Pradesh State Public Distribution System Control Order, 2001 (for short, 'the Control Order').

Although the learned counsel for respondent No.1 has not shown up, we do not consider it necessary to adjourn the case because the issue of locus of the appellant to file revision under Clause 21 of the Control Order has been decided by the Full Bench of this Court in Writ

Appeal No.1805 of 2005, on 14-6-2007. The Full Bench has held that a temporary fair price shop dealer is entitled to question the order passed by the competent authority under Clause 20 of the Control Order.

In view of the above, the appeal is allowed. The order of the learned Single Judge is set aside. Consequently, the writ petition filed by respondent No.1 shall stand dismissed.

As a sequel to disposal of the appeal, WAMP.No.3220 of 2005 filed by the appellant for interim relief and WAVMP.No.4686 of 2005 filed by respondent No.1 for vacating the interim order are disposed of as infructuous.

G.S. SINGHVI, C.J.

10th July, 2007

C.V. NAGARJUNA REDDY, J.

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